

ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D. C. 20554

ORIGINAL
FILE

In the Matter of) GC DOCKET NO. 92-52
)
Reexamination of the Policy)
Statement on Comparative)
Broadcast Hearings)

To: The Commission

FILE

JUN - 2 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS

Lisa M. Jenkins hereby offers the following comments in response to the Commission's Notice of Proposed Rule Making, released April 10, 1992, in GC Docket No. 92-52.

Lisa M. Jenkins is an applicant for a new FM station in Clarksville, Indiana. The evidentiary record has been closed in her case, as the hearing was held earlier this year. Although the Commission has proposed not to apply its new comparative criteria retroactively, Ms. Jenkins recognizes that, in light of the criticism leveled at the Commission in Bechtel v. FCC, Case No. 91-1112 (D.C. Cir. 1992), there is a possibility that the Commission will, in the final analysis, decide to apply its new criteria to cases that were already pending at the time of the Notice.

Accordingly, Ms. Jenkins wishes to support the continued use of integration of ownership and management as a significant tool to evaluate the comparative merit of application proposals. Ms.

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station's general manager is a part-owner of the licensee and an active resident of the community. The other owners of the licensee are all local residents as well. Ms. Jenkins believes that the owner/general manager's presence at the station on a day-to-day basis has made it substantially more responsive to the needs of the community than would have been the case had it been under absentee ownership.

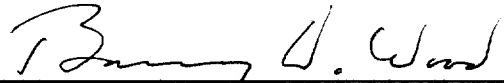
At the same time, the integration policy as applied in the past has encouraged failure where individuals who proposed integration of ownership and management have failed to fulfill those commitments. This, indeed, was a central theme of the argument of the appellant in Bechtel v. FCC, supra. The Commission has encountered such a result by giving mixed signals as to the length of time a successful integrated station owner is expected to remain in control of the station, sometimes asserting that merely a one-year period of integrated activity would be adequate to justify the award of an integration preference. Such a holding is ludicrous, and subjects the entire integration criterion to ridicule.

In order to ensure that successful applicants stay with their stations for more than a brief period, the Commission should give preferences to those applicants who have prepared themselves to operate the station in question. By that, Ms. Jenkins urges that the broadcast experience criterion, trivialized in the 1965 Policy Statement, should be strengthened dramatically. If the Commission is going to expend its time and resources in an effort to find the

best qualified applicant, the least it can expect of the applicants is that they prepare themselves for the stewardship represented by a broadcast license by learning something about the industry in which they are to engage. The best way to obtain an education about the practical realities of broadcast operation is to work as a broadcaster. Thus, the greatest qualitative enhancement should be given for broadcast experience. Because of the significance of this aspect of the issues to be considered by the Commission, Ms. Jenkins wishes to focus her comments on that point. Therefore, she will not address the other matters open for comment in the Notice, except to suggest that the Commission should examine carefully limited partnerships formed for the purpose of obtaining maximum comparative credit for an ostensibly minority-controlled organization where, in fact, the limited partners have the motivation and interest to remain active in the broadcast company in question.

Respectfully submitted,

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June 2, 1992

CERTIFICATE OF SERVICE

I, V. Frappier, hereby certify that I have, this 2nd day of June, 1992, caused to be sent by U.S. first-class mail, postage-prepaid, a true and correct copy of the foregoing "Comments" to the following:

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